

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/826,391	KAWASHIMA, TADASU	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian P. Egan	1772	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amd. filed 4/8/04.
2. ☒ The allowed claim(s) is/are 1-5,7-37 and 39-41.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date included herein.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **NOTICE OF ALLOWANCE**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on April 8, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of United States Patent #6,534,172 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Drawings***

2. Figures 9(a-d) should be designated by a legend such as --Prior Art-- because only that which is old is illustrated (as detailed in the specification from page 1, line 11 to page 2, line 2). See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

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Authorization for this examiner's amendment was given in a telephone interview with Mr. Jonathon P. Osha on June 28, 2004.

The application has been amended as follows:

IN THE CLAIMS:

Claim 41:

-Line 2, delete the word "substantially" after the phrase "a base film in a".

*Reasons for Allowance*

4. The following is an examiner's statement of reasons for allowance: the invention as claimed, namely a windable printing medium comprising a base film comprising a mechanically dry rubbed surface, an adhesive layer disposed on the rubbed surface, and a printable face formed on a surface of the base film opposite the rubbed surface wherein when the windable printing medium is wound into a roll, the printable face of a first wrap of the base film is in contact/adjacent to the adhesive layer of a second wrap of the base film in rolled form, is neither anticipated nor fairly suggested by the prior art of record.

Although it is well known in the art to provide an adhesive tape comprising an adhesive layer and a printable substrate without a release liner in roll form, none of the prior art references of record teach a mechanically dry rubbed surface. It is noted that the Examiner has defined "mechanically dry rubbed surface" to mean a surface that has been rubbed in a dry ambient environment free of any liquid/fluid additives or treatments. Although not limited by claims 39 and 40, examples of "mechanically dry rubbed surface[s]" include surfaces rubbed by a cotton

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cloth or a nylon brush. The closest prior art with regards to the rubbing treatment are Nakata et al. (#5,861,192) and Taku (JP 07-330929). Although each of the aforementioned references teach the use of a rubbed surface, each of the rubbing treating occurs in the presence of a fluid treatment and fails to suggest the use of a rubbing treatment, such as a cotton cloth or a nylon brush, that are used in a dry ambient environment free of any liquid/fluid additives or treatments.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Egan whose telephone number is 571-272-1491. The examiner can normally be reached on M-F, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
BPE 6/25/04

  
HAROLD PYON  
SUPERVISORY PATENT EXAMINER  
6/28/04